


<p>New York State Department of Transportation Central Permit Office 50 Wolf Road, 1<sup>st</sup> Floor Albany, New York 12232</p> 	<p align="center"><b>DIVISIBLE LOAD NOTICE</b></p> <p align="center"><b>DLN# 09 - 07</b></p> <hr/> <p><b>SUBJECT:</b></p> <p align="center">Amending 55 M.P.H Speed Limit Restriction</p> <hr/> <p>Date: 5/01/2009</p> <p>Supersedes: Current Policy Issued By: William J. Morris DL Unit Supervisor</p>
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**GENERAL:**

Currently, our Divisible Load (DL) Overweight permit restricts operation to 55 mph maximum. Industry has raised the question as to why the Department continues to restrict speed for DL permitted moves on Interstates or a few other State highways when no law exists to require such a restriction. It has been noted that the restriction may have occurred based on the date the DL permitting became a part of the Department's program. When the DL program began, the National and State speed limit was 55 mph. Industry concern is that complying with this restriction would place motorists at a greater risk due to the speed differential and allowing them to comply with the posted or applicable speed limit.

Representatives from the Departments; Traffic and Safety, Legal, Office of Modal Safety and Security and Structures offices met to discuss this issue. None of the offices that reviewed this request, felt that it would cause adverse affects to bridges or traffic. Traffic and Safety was not aware of any safety related issues to overweight vehicle operation and accident history does not appear to point to this as a problem. A review of the New York State Vehicle &Traffic Law did not contain a speed limitation for DL operation. Thus, the current restriction appears to be a Department policy without a formal document determining the need for such a restriction.

**NEW POLICY:**

Effective Spring of 2009, the speed limit restriction for Divisible Load permits will be changed to read; "Maximum speed when operating pursuant to this permit shall not exceed posted or appropriate legal speeds."

The wording on the reverse side of Divisible Load Overweight permits will be revised to reflect this change. Currently issued and valid permits will be allowed to travel at posted or appropriate legal speeds. Operating in excess of posted or appropriate legal speeds will result in enforcement action.